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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,138	06/21/2005	Georg Riescher	4100-357PUS	8881
27799 7590 01/26/2007 COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			EXAMINER FERGUSON SAMRETH, MARISSA LIANA	
			ART UNIT 2854	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/26/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/540,138	Applicant(s) RIESCHER ET AL.	
	Examiner Marissa L. Ferguson-Samreth	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13, 15, 16, 18 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 17 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11, 15-17 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bowman et al. (US Patent 4,831,926).

Regarding claim 11, Bowman et al. teaches a stand (frames 51, 52, 120 and 121) having a drive side and an operating side (the frames have elements for operation and drives for the cylinders as disclosed in Column 9, Lines 27-36, Line 51 and Column 10, Lines 20-66), at least one crossmember (cartridges 40-42, 111-114 function as crossmembers) arranged at each of the sides of the stand (frames 51, 52, 120 and 121), wherein the crossmembers are aligned horizontally or vertically (Column 9, Lines 10-14) and printing cylinders (43, 44) mounted on the crossmembers (Figures 4, 7 and 8) and wherein the crossmembers are removably received in the frame of the printing unit (Column 14, Lines 10-15).

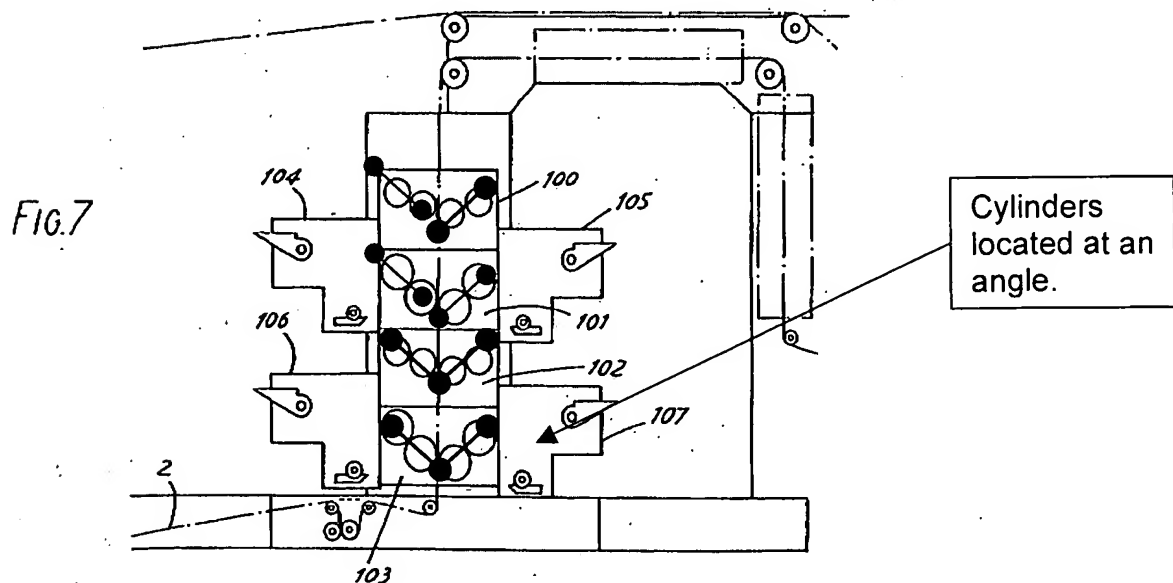
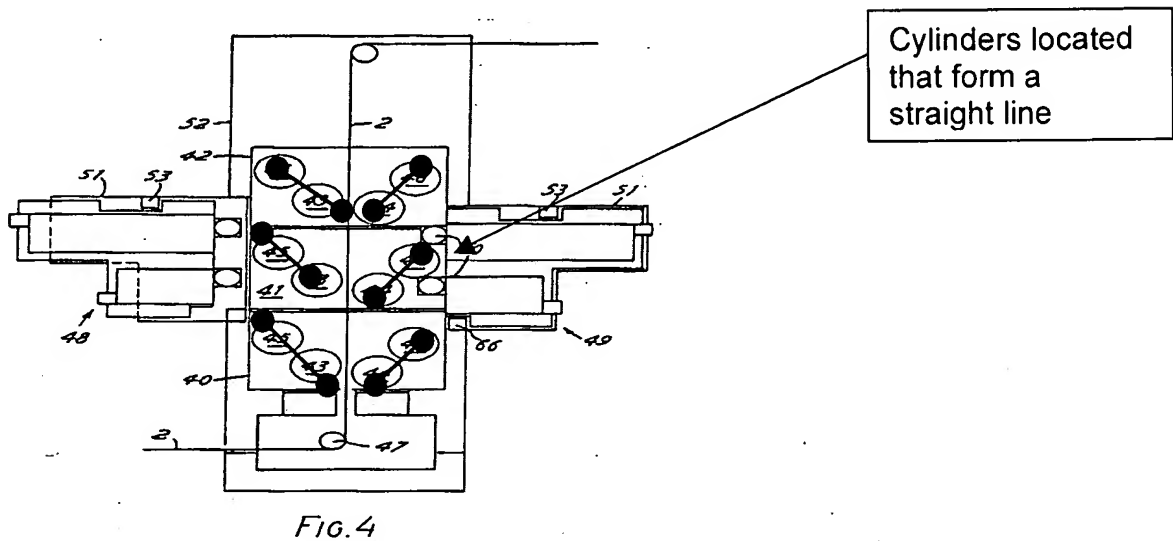
Regarding claim 15, Bowman et al. teaches wherein the printing cylinders are arranged in a line on the crossmember (refer to figure 4 on page 3 of the office action).

Regarding claim 16, Bowman et al. teaches wherein the printing cylinders are

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arranged crossed in any direction or at angles to one another (Refer to figure 7 on page 3 of the office action). In this interpretation of Bowman et al., the printing cylinders are considered to be 43-46 that form the angles.

Regarding claim 21, Bowman et al. teaches wherein drives of the printing cylinders arranged on a stand (Column 9, Lines 51-68 and Column 10, Lines 1-23).



Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman et al. (US Patent 4,831,926) in view of Kamoda (US Patent 6,883, 429).

Bowman et al. teaches the claimed invention with the exception of rubber cylinders comprised rubber cylinders arranged for printing one or both sides of the web and at least one of the rubber-covered cylinders is an impression cylinder. Kamoda teaches a double-sided printing machine with a printing machine consisting of rubber cylinders (2,3,101,102) and wherein at least one is an impression cylinder (2,101) . It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Bowman et al. to replace the cylinders thereof with rubber impression cylinders as taught by Kamoda, since Kamoda teaches that a rubber surface provides good adhesion properties for transporting the print medium.

3. Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable

over Bowman et al. (US Patent 4,831,926) in view of Kamoda (US Patent 6,883,429) as applied to claim 12 above, and further in view of Ishii et al. (US Patent 4,691,631).

Bowman et al. and Kamoda both teach the claimed invention with the exception of rubber-covered cylinders that are mounted in a swinging arm for pivoting. Ishii et al. teaches rubber cylinders that are mounted to several elements that can function as a swinging arm (11, 29, 54, 56, 57) that pivot. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to further modify the invention as taught by Bowman et al. in view of Kamoda to include pivotable linkages as taught by Ishii et al., since Ishii et al. teaches that it is advantageous to provide smooth engagements between the rubber and plate cylinders.

4. Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman et al. (US Patent 4,831,926) in view of Weschenfelder (US Patent 6,539,857).

Bowman et al. teaches the claimed invention with the exception of wherein a drive of a printing cylinder is arranged on a crossmember and a drive being positioned at a center of a plate cylinder. Weschenfelder teaches wherein drives of the printing cylinders are arranged on the crossmember (gearwheels 77,78 are arranged on frames 23, 24 and refer to column 3, Lines 14-62) and a drive being positioned at a center of the plate cylinder (elements 78,79 and Figure 5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Bowman et al. to include drives located on a crossmember as

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taught by Weschenfelder, since Weschenfelder teaches that it is advantageous to provide easy and smooth engagements between the print cylinders.

Allowable Subject Matter

5. Claims 17 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 17, the prior art does not teach or render obvious subunits comprising auxiliary subassemblies necessary for the printing process, the subunits being replaceably arranged between the crossmember and the stand, and abutting a respective plate cylinder of the printing cylinders, and wherein the auxiliary subassemblies include dampening and inking units.

Regarding claim 19, the prior art does not teach or render obvious wherein a swinging arm is pivotable about an axis of a plate cylinder associated with one of the rubber cylinders.

Response to Arguments

6. Applicant's arguments with respect to claims 11-13 and 15-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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a. Dauer et al. (US Patent 6, 397,743) teaches a printing unit with printing cylinders.

b. Gottling et al. (US Patent 6,568,322) teaches a stand of a printing unit.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson-Samreth whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marissa L Ferguson-Samreth
Examiner
Art Unit 2854

MFS


Daniel J. Colilla
Primary Examiner
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